

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JUNE 26, 2008**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

**RQR-28128 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI** - Required Two Year Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF AN ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese)

**IF APPROVED, C.C.: 08/06/08**

**IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

5

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

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**RECOMMENDATION:**

**APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-12283
6. Protest Postcard
7. Submitted After Final Agenda – Condition Confirmation Letter by A-1 Brake & Carburetor Protest/Support Postcards

Motion made by STEVEN EVANS to Approve subject to conditions

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-SAM DUNNAM); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR GOYNES declared the Public Hearing open.

**PLANNING COMMISSION MEETING OF: JUNE 26, 2008**

This item was under the One Motion/One Vote portion of the agenda and was brought forward at COMMISSIONER STEINMAN'S request.

PETER LOWENSTEIN, Planning and Development Department, stated that staff had confirmed the applicant's compliance with all conditions of approval for Special Use Permit 2203 and all subsequent required reviews and recommended approval.

GARY GRAY, 1717 South 15th Street, appeared on behalf of the applicant.

COMMISSIONER STEINMAN expressed concern that the sign appeared to have no faces. DOUG RANKIN, Planning and Development Department, stated that the City can order the removal of a sign not in use through a Notice and Order from Code Enforcement, noting that the applicant would have a period of time to re-establish the signage.

MARGO WHEELER, Director of the Planning and Development Department, stated that the sign is a separate issue and is not part of this required review. She also pointed out that a field check had confirmed the applicant's compliance with all conditions of approval.

COMMISSIONER STEINMAN requested that Code Enforcement be notified of the sign issue and MS. WHEELER assured him that staff would follow through on the matter.

COMMISSIONER DUNNAM suggested that the area needs to be cleaned up and requested the applicant to present compelling evidence to support allowing the requested use to continue.

MR. GRAY explained that he was appearing as pro bono counsel for Dennis Hancock, the applicant, because he is a good and honest auto mechanic. He explained that the sign does not belong to the applicant and he has no control over it. He informed COMMISSIONER DUNNAM that the building cannot accommodate an inside lift, forcing him to place the lifts outside, adding that MR. HANCOCK is tied to the lease. He stressed that the applicant has made every effort to comply and that staff supports the request.

CHAIR GOYNES reiterated that a field check had revealed that the applicant was complying with the conditions of approval.

COMMISSIONER EVANS observed that MR. HANCOCK has complied with all the conditions of approval and the auto shop is appropriate for the area at this time.

COMMISSIONER STEINMAN requested clarification of one of the conditions of approval. MS. WHEELER explained that this item is the two-year review of the Special Use Permit and approval of the review would allow the use to continue for one more year.

CHAIR GOYNES declared the Public Hearing closed.